

## REMARKS

### **I. Status of Claims**

Claims 2 and 12-19 have been canceled, which leaves claims 1 and 3-11 pending in the application. This Amendment addresses each point of rejection raised by the Examiner. Favorable reconsideration is respectfully requested.

### **II. Rejections under 35 U.S.C. §103(a)**

Claims 1 and 3-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Turner (U.S. Patent No. 6,738,373). These rejections are respectfully traversed.

An embodiment of Applicants' claimed invention is dedicated to a method of controlling the operation mode of a hybrid access terminal (HAT) capable of communicating a first communication system that supports voice service and low-speed data service and a second communication system that supports high-speed data service comprising the unique method steps including, inter alia, wrapping a signaling message from the first communication system in a signaling message format of the second communication system, transmitting the wrapped signaling message to the HAT in the data-only operation mode by the second communication system, and processing the wrapped signaling message in the HAT. (See Applicants' claim 1). Another embodiment of Applicants' claimed invention is dedicated to a method of controlling the operation mode of a hybrid access terminal (HAT) capable of communicating a first communication system that supports voice service and low-speed data service and a second communication system that supports high-speed data service comprising the unique method steps including, inter alia, receiving a signaling message wrapped in a signaling message of the first communication system in a signaling message format of the second communication system from the second communication system by the HAT in the data-only operation mode, and processing the transmitted wrapped signaling message by the HAT (See Applicants' claim 10).

Turner does not disclose, or even remotely suggest wrapping signaling messages, as claimed in Applicants' claims 1 and 10. Instead, Turner discloses

continuing to monitor a first communication system while subsequently operating and monitoring a second communication system in order to detect signal messages originating from the first communication network (See Col. 8, Lines 38-40). Thus, there is no need for Turner to wrap signaling messages since Turner continuously monitors both communication systems and the messages corresponding to each communication system. Contrary to the embodiments of Applicants' invention as disclosed in claims 1 and 10, the teachings disclosed by Turner inefficiently operate a hybrid access terminal by misusing power to continuously monitor the first communication system while operating and monitoring the second communication system.

In addition, the apparatus disclosed by Turner incurs undesirable delays when switching from the second network to the first network in order to receive the respected signaling message (See col. 8, lines 23-27). This unfavorable result is evidence that it is not obvious in view of Turner to include a method of transitioning from the hybrid operation mode to a data-only operation mode, upon receipt of a message ordering mode transition from the second communication system, discontinuing monitoring the first communication system, and monitoring only the second communication system by the HAT. Therefore, Turner does not teach, show, suggest, or render obvious at least the features of wrapping a signaling message from the first communication system in a signaling message format of the second communication system and transmitting the wrapped signaling message to the HAT in the data-only operation mode by the second communication system; and processing the transmitted wrapped signaling message in the HAT, as claimed in Applicants' claims 1 and 10. Accordingly, reconsideration and withdrawal of the rejection of independent claims 1 and 10 are respectfully requested.

In regard to claims 3-9 and 11, Applicants respectfully note that each ultimately depends from independent claims 1 and 10, respectively, which are patentable over the prior art for at least the reasons discussed in detail above. Therefore, claims 3-9 and 11 are also patentable over the prior art and reconsideration and withdrawal of the rejections of these claims are respectfully requested.

### CONCLUSION

In view of the above, it is believed that this application is in condition for allowance and notice to this effect is respectfully requested. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Should any/additional fees be required, the Director is hereby authorized to charge the fees to Deposit Account No. 18-2220.

Respectfully submitted,

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Dated: August 08, 2008

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